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MAY 22 2007

OFFICE OF PETITIONS

In re Application of :  
Benjamin A. Knott et al :  
Application No. 10/829,557 : DECISION ON PETITION  
Filed: April 22, 2004 :  
Attorney Docket No. 130332.00073 :

This is a decision on the petition under 37 CFR 1.137(b), filed February 28, 2007, to revive the above-identified application.

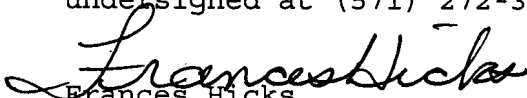
The petition is **GRANTED**.

No Notice of Abandonment has been mailed in this application. However, this application became abandoned by operation of law for failure to timely reply within the meaning of 37 CFR 1.113 to the final Office action, mailed August 25, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). Accordingly, the application became abandoned on November 28, 2006 (November 25, 2006, the due date, is a Saturday).

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the required reply in the form of a request for continued examination (RCE), \$790 filing fee, and submission as required by 37 CFR 1.114 (reply filed on November 27, 2006), (2) the petition fee of \$1,500, and (3) a proper statement of unintentional delay. Accordingly, the failure to timely reply within the meaning of 37 CFR 1.113 to the Office action of August 25, 2006 is accepted as being unintentionally delayed.

This application is being referred to Technology Center AU 2614 for processing of the RCE and for appropriate action in the normal course of business on the submission under 37 CFR 1.114.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

  
Frances Hicks  
Petitions Examiner  
Office of Petitions